

SECOND DAY.

Senate Chamber,
Austin Texas,
January 14, 1931.

The Senate met at 10 a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodul.
Moore.	Woodruff.
Neal.	Woodward.
Oneal.	

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Holbrook:

S. B. No. 14, A bill to be entitled "An Act to minimize the fire hazard in the operation of the dry cleaning and dry dyeing business, defining and regulating the same; providing for an annual permit and inspection fee; vesting the State Fire Marshall with authority to issue permits, inspect the business and establishments, and enforce the provisions of this Act; providing that the business shall be conducted in buildings of fire resistance construction; how volatile substances, devices and methods used in connection with the business must be handled and controlled, so as to lessen the fire hazard; providing that buildings and

establishments now in operation are to continue unless abandoned for thirty days; fixing a penalty and declaring an emergency."

Read and referred to Committee on Insurance.

By Senator Holbrook:

S. B. No. 15, A bill to be entitled "An Act to amend Article 1302 of the Revised Civil Statutes of the State of Texas of 1925 so as to provide that private corporations may be formed for any lawful purpose or purposes, except as specified in this Act, and providing that nothing in this Act shall be held to repeal or amend any General Law of the State, other than Article 1302 pertaining to the creation of corporations and powers, duties and limitations thereof or to repeal any law that forbids the creation of any corporation and providing that no corporation created under Article 1302 as herein amended shall include as one of its purposes any purpose for which corporations may be created under the General Laws of this State, other than Article 1302, and providing that no corporation created under Article 1302 as herein amended shall include as one of its purposes the practice of law or the practice of any of the healing arts and sciences and providing that all corporations created under this Act shall be required, after filing their charters with the Secretary of State, to record the same at length in the principal office of the corporation and shall have such charter recorded in full in the records of the county clerk of the county in which such corporation has its principal office before such corporation shall do any business in this State, and providing that all amendments to such charters shall be recorded in like manner, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Oneal:

S. B. No. 16, A bill to be entitled "An Act to provide for the nomination of Directors of Water Improvement Districts to serve under the provisions of Chapter 2, Title 128 of the Revised Civil Statutes of Texas, 1925, and to repeal all laws in conflict therewith."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Beck:

S. B. No. 17, A bill to be entitled "An Act making appropriations to pay the salaries of judges, and the support and maintenance of the Judicial Department of the State Government for the two year period beginning September 1, 1931, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Purl and Greer:

S. B. No. 18, A bill to be entitled "An Act to exempt from taxation the property owned or used exclusively and reasonably necessary in conducting any Association engaged in promoting the religious, educational and physical development of boys and girls, young men or young women, operating under a State or National organization or like charter, and all endowment funds of such institutions, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Oneal.

S. B. No. 19, A bill to be entitled "An Act to amend Articles 7674, 7677 and 7684, Chapter 2, Title 128 of the Revised Civil Statutes, 1925, as follows: Amend Article 7674 by providing that by the payment of one-half of the taxes levied for 1931 and each calendar year thereafter on or before the 31st day of January next thereafter, the other one-half of such taxes shall not become delinquent until the 31st day of July next following; Amend Article 7677 by providing that delinquent tax rolls shall be made up on the 31st day of January and 31st day of July of each year; and amend Article 7684 by providing that if any person shall fail or refuse to pay one-half of the taxes imposed upon him for the calendar year 1931 and each calendar year thereafter on or before the 31st day of January next thereafter, the entire taxes for such calendar year shall become delinquent on such date, providing for penalty of ten per cent on the entire amount of such taxes which shall accrue upon such delinquent taxes, and further providing that if the first half of the taxes levied as aforesaid shall be paid on or before the 31st day of January next after same shall become due, the second

half shall become delinquent on the 31st day of July next thereafter, and a like ten per cent penalty added, and that all delinquent taxes, in addition to the penalty aforesaid, shall bear interest at the rate of six per cent per annum from and after August 1st thereafter, dispensing with notices of such taxes to taxpayers, repealing all laws in conflict with the foregoing articles, as amended, and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senators Purl and Hornsby:

S. B. No. 20, A bill to be entitled "An Act to provide for and require annual reports to the Banking Commission of Texas, and publication of same, by banks of either deposit or discount, banks both of deposit and discount, banks and trust companies, saving banks, and Morris Plan banks, having their domicile and place of business in this State, of certain monies held by same and unclaimed for a period of five years, and providing a penalty for failure to make such reports and publication."

Read first time and referred to Committee on Banks and Banking.

Simple Resolution No. 5.

Senator Williamson sent up the following resolution:

Whereas, at this Session of the Legislature there will be an unprecedented amount of measures and ceded amount of measures and legislation to be considered and passed, and many intricate and difficult constitutional questions and questions of statutory construction and the proper preparation of measures and bills will demand the attention of the Senate; and

Whereas, There is great need for legal aid of a competent person who can give his special attention to such matters and act for the Senate as a legislative counsellor; and

Whereas, Rice Tilley has been an Assistant Attorney General for many years, and has had probably more experience in such matters than any other person in this State, and it is the desire of the Senate to procure his services, if possible; now, therefore, be it

Resolved by the Senate of the State of Texas, that Rice Tilley be

tendered employment as such legislative counsellor for the Senate at this Session, and he shall attend to such matters for the Senate as shall be referred to him. Upon acceptance and entering upon said duties, the compensation of said counsellor shall be \$20.00 per day, payable out of the appropriation for contingent expenses. He shall also be furnished office space, a stenographer of his own choice, and such books, supplies, and equipment as shall be necessary, on order of the President of the Senate, the same to be paid for out of the appropriation for contingent expenses.

WILLIAMSON,	PARR,
WOODUL,	HOPKINS,
HORNSBY,	PURL,
BECK,	THOMASON,
STEVENSON,	POLLARD,
HARDIN,	HOLBROOK.

The resolution was read.

Senator Moore sent up the following amendment:

Amend S. R. No. 5 by striking out figure "\$20.00" and substitute in lieu thereof the figure "\$15.00."

MOORE.

The amendment was read.

Senator Woodul moved to table the amendment. The motion was lost by the following vote:

Yeas—10.

Beck.	Small.
Cousins.	Stevenson.
Parr.	Thomason.
Pollard.	Williamson.
Purl.	Woodul.

Nays—20.

Berkeley.	Moore.
Cunningham.	Neal.
DeBerry.	Oneal.
Gainer.	Parrish.
Hardin.	Patton.
Holbrook.	Poage.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Woodruff.
Martin.	Woodward.

Absent.

Greer.

The amendment was adopted.

Senator DeBerry sent up the following amendment:

Amend by striking out after the

word "stenographer" the words "of his own choice."

DeBERRY.

Read and adopted.

The resolution as amended was adopted by the following vote:

Yeas—23.

Beck.	Patton.
Berkeley.	Pollard.
Cousins.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Neal.	Woodruff.
Parr.	Woodward.
Parrish.	

Nays—7.

Cunningham.	Oneal.
DeBerry.	Poage.
Gainer.	Small.
Martin.	

Absent.

Greer.

Appointments Announced.

The Chair announced the appointment of the following additional pages: Thelma Bills, George Ramsey.

S. C. R. No. 4.

Senator Stevenson sent up the following resolution:

Be It Resolved by the Senate, the House concurring that the Governor be invited to deliver his message to the Legislature personally, at a joint session of the House and the Senate, the time for doing so to be arranged by the Governor, the President of the Senate and the Speaker of the House.

RAWLINGS,	HOLBROOK,
SMALL,	HOPKINS,
WOODWARD,	POLLARD,
WILLIAMSON,	PATTON,
WOODRUFF	COUSINS,
POAGE,	WOODUL,
PURL,	HORNSBY,
CUNNINGHAM,	BECK,
LOY,	PARRISH,
NEAL,	MOORE,
MARTIN,	BERKELEY,
STEVENSON,	RUSSEK.

Read and adopted.

Recess.

On motion of Senator Holbrook, the Senate, at 10:45 a. m., recessed until 3 o'clock p. m.

After Recess.

The Senate met at 3 o'clock p. m., pursuant to recess, was called to order by Lieutenant Governor Barry Miller.

Committee Reports.

Senator Woodward, Chairman of the Committee to place employees of the Senate, reported that the report of the Committee had been filed with the Secretary of the Senate.

Adjournment.

On motion of Senator Woodward, the Senate, at 3:10 o'clock p. m., adjourned until 10 o'clock tomorrow morning.

APPENDIX.**Committee Reports.****Committee Room.**

Austin, Texas, Jan. 14, 1931.
Hon. Barry Miller, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred:

S. B. No. 1, A bill to be entitled "An Act to repeal Chapter 81 of the General and Special Laws of the State of Texas, enacted in 1929, and declaring an emergency."

Have had same under consideration, and I am instructed to report same back with the recommendations that it do pass and be printed in the Journal and not otherwise.

MOORE, Chairman.

By Rawlings

S. B. No. 1.

A BILL**To Be Entitled**

"An Act to repeal Chapter 81 of the General and Special Laws of the State of Texas, enacted in 1929, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. That Chapter 81, House Bill No. 596 of the General and Special Laws, passed by the Regular Session of the Forty-first

Legislature of the State of Texas, be and the same is hereby in all things repealed.

Section 2. The fact that said law as passed applies only to Tarrant County, and, since the same became effective, was made an issue in the election held in Tarrant County in July, 1930, and that said law was by the voters of said county decisively repudiated and rejected, and the further fact that the newly elected officers of Tarrant County whose appointees and assistants come within the terms of said law have regarded said law as repealed, and have selected their various appointees without regard to the said law, and the further fact that the employees under former administrations are endeavoring to retain their positions under the authority of said act, which has resulted in conflict and confusion in the several county offices, and the two sets of employees are now in litigation to establish the legal rights and priorities to said positions; and, further, the enactment as it now stands is a distinct menace to the district to which it is now applicable, resulting in unjust discrimination, confusion, inconvenience, and expense to the citizens of the State of Texas, and particularly to the citizens of Tarrant County, creates an emergency and an imperative public necessity that the constitutional provision requiring bills to be read on three several days in each house, and the further constitutional provision that no final action shall be taken on bills during the first sixty days of the Legislature be suspended, and they are hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

THIRD DAY.

Senate Chamber,

Austin, Texas.

January 15, 1931.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names: